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RCE 7/600

PTO/SB/30 (08-00)  
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**REQUEST  
FOR  
CONTINUED EXAMINATION  
(RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/731,342
Filing Date	December 6, 2000
First Named Inventor	Wiegand et al.
Group Art Unit	1617
Examiner Name	Gina C. Yu
Attorney Docket Number	JBP-529

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
(any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other

**3. Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0750/JBP-529/EMH.
- i. ☒ RCE fee is required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (print/type)	Eric M. Harriman	Registration No.	40,410
Signature		Date	August 6, 2002

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: August 6, 2002

Name (print/type)	Eric M. Harriman	Date	8/6/02
Signature		Date	August 6, 2002

08/14/2002 AWONDAF1 00000166 100250 09731342

01 FC:179 740.00 CH

In re application of Wiegand et al.

Serial No. 09/731,342

Filed: December 6, 2000

For: PERSONAL CARE FORMULATIONS

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

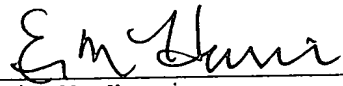
- ☐ No additional fee is enclosed because this application was filed prior to October 25, 1965 (effective date of Public Law 89-83).
- ☒ No additional fee is required.
- ☒ One stamped, self-addressed postcard for the PTO Mail Room date stamp.
- ☐ Petition For Extension of Time and charge to Deposit Account of Appropriate Fee.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	19	minus	20	0	x \$18	=\$ 0.00
INDEP. CLAIMS	2	minus	3	0	x \$84	=\$ 0.00
MULT. DEP. CLAIMS	<input type="checkbox"/>				\$ 280	=
			TOTAL ADDITIONAL FEE FOR THIS AMENDMENT			=\$ 0.00

- ☒ Charge \$0.00 to Deposit Account No. 10-0750/JBP-529/EMH. Three copies of this sheet are enclosed.
- ☒ Please charge any additional fees in connection with the filing of this communication, credit overpayment, to Deposit Account No. 10-0750/JBP-529/EMH. Three copies of this sheet are enclosed.

  
Erin M. Harriman  
Attorney of Record  
Reg. No. 40,410

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New Brunswick, New Jersey 08933-7003  
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August 6, 2002

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8/23/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wiegand et al.

Art Unit: 1619

Serial No.: 09/731,342

Examiner: Gina Yu

Filed: December 6, 2000

Title: PERSONAL CARE FORMULATIONS

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August 6, 2002

(Date)

Erin M. Harriman

(Name of applicant, assignee, or Registered Representative)

(Signature)

August 6, 2002

(Date of Signature)

Honorable Commissioner of Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to Examination of this Application, please amend the above-identified application  
as follows:

In the Claims:

Please amend claim 1 and 20 as follows:

1. (Amended) A method of depositing a benefit agent on a keratinous surface, said method comprising topically applying to said surface an effective amount of a ringing gel composition comprising (a) a surfactant phase ; (b) an oil phase; and (c) a benefit agent; wherein the benefit agent is selected from the group consisting of vasoconstrictors, collagen enhancers, anti-edema agents, depigmentation agents; reflectants; detangling/wet combing agents; film forming polymers; humectants; amino acid agents; antimicrobial